
STATUTORY INSTRUMENTS

2003 No. 2498

The Copyright and Related Rights Regulations 2003

PART 2

AMENDMENTS OF THE COPYRIGHT, DESIGNS AND PATENTS ACT 1988

Acts permitted in relation to copyright works and rights in performances

Making temporary copies

8.—(1) After the heading “*General*” appearing before section 29 there shall be inserted—

“Making of temporary copies

28A Copyright in a literary work, other than a computer program or a database, or in a dramatic, musical or artistic work, the typographical arrangement of a published edition, a sound recording or a film, is not infringed by the making of a temporary copy which is transient or incidental, which is an integral and essential part of a technological process and the sole purpose of which is to enable—

- (a) a transmission of the work in a network between third parties by an intermediary; or
- (b) a lawful use of the work;

and which has no independent economic significance.”.

(2) After paragraph 1 of Schedule 2 there shall be inserted—

“Making of temporary copies

1A. The rights conferred by Part 2 are not infringed by the making of a temporary copy of a recording of a performance which is transient or incidental, which is an integral and essential part of a technological process and the sole purpose of which is to enable—

- (a) a transmission of the recording in a network between third parties by an intermediary; or
- (b) a lawful use of the recording;

and which has no independent economic significance.”.

(3) After section 182A(1) there shall be inserted—

“(1A) In subsection (1), making a copy of a recording includes making a copy which is transient or is incidental to some other use of the original recording.”.

Changes to legislation:

There are currently no known outstanding effects for the The Copyright and Related Rights Regulations 2003, Section 8.